9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 100and 165

[Docket No. USCG-2012-1057]

RIN 1625-AA08; AA00

Special Local Regulations and Safety Zones; Recurring Events in Northern New England

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is updating special local regulations and permanent safety zones in the Coast Guard Captain of the Port Northern New England Zone for annual recurring marine events. When these special local regulations or safety zones are activated and subject to enforcement this rule will restrict vessels from portions of water areas during these annual recurring events. The revised special local regulations and safety zones will expedite public notification of events, and ensure the protection of the maritime public and event participants from the hazards associated with these annual recurring events.

DATES: This rule is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

This rule will be enforced during dates and times specified in TABLES 1 and 2.

ADDRESSES: Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2012-1057 and are available online by going to

http://www.regulations.gov, inserting "USCG-2012-1057" in the "SEARCH" box, and then clicking "Search." This material is also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or e-mail Ensign Elizabeth Morris, Waterways Management Division at Coast Guard Sector Northern New England, telephone 207-767-0398, e-mail

Elizabeth.V.Morris@uscg.mil. If you have questions on
viewing the docket, call Barbara Hairston, Program Manager,
Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

#### A. Regulatory History and Information

On Tuesday, March 22, 2013, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled "Special Local

Regulations and Safety Zones; Recurring Events in Northern New England" in the <u>Federal Register</u>. We received no comments or requests for a public meeting on the proposed rule.

## B. Basis and Purpose

The legal basis for this rule is 33 U.S.C. 1231, 1233; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, and 160.5; Pub. L. 107-295, 116 Stat. 2064; and Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to define regulatory safety zones and special local regulations.

Swim events, fireworks displays, and marine events are held on an annual recurring basis on the navigable waters within the Coast Guard COTP Northern New England Zone. In the past, the Coast Guard has established special local regulations, regulated areas and safety zones for these annual recurring events on a case by case basis to ensure the protection of the maritime public and event participants from the hazards associated with these events. The Coast Guard has not received public comments or concerns regarding the impact to waterway traffic from these annually recurring events.

This rulemaking updates the existing regulation in order to meet the Coast Guard's intended purpose of ensuring safety during these events.

## C. Background

The Coast Guard is amending 33 CFR 100.120 (Special Local Regulations) and 33 CFR 165.171 (Safety Zones).

The rule updates the list of annual recurring events listed in the attached TABLES in the Coast Guard COTP Northern New England Zone. The TABLES provide the event name, sponsor, and type, as well as approximate dates and locations of the events. The specific times, dates, regulated areas, and enforcement period for each event will be provided through the Local Notice to Mariners, Broadcast Notice to Mariners or through a Notice of Enforcement published in the Federal Register.

### D. Discussion of the Final Rule and Comments

The Coast Guard did not receive any comments in response to the NPRM published in the <u>Federal Register</u> on Tuesday, March 22, 2013. Therefore, the Coast Guard did not change anything in the final regulation because there were no comments.

#### E. Regulatory Analyses

The Coast Guard developed this proposed rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes or executive orders.

## 1. Regulatory Planning and Review

This rule is not a significant regulatory action under

section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this rule to be minimal. Although this regulation may have some impact on the public, the potential impact will be minimized for the following reasons: the Coast Guard is only modifying an existing regulation to account for new information.

# 2. Impact on Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which might be small entities: owners or operators of vessels intending to transit, fish, or anchor in the areas where the listed

annual recurring events are being held.

The rule will not have a significant economic impact on a substantial number of small entities for the following reasons: vessels will only be restricted from safety zones and special local regulation areas for a short duration of time; vessels may transit in portions of the affected waterway except for those areas covered by the regulated areas; and notifications will be made to the local maritime community through the Local Notice to Mariners and Broadcast Notice to Mariners well in advance of the events. In addition, this action is only modifying an existing rule which, in and of itself, did not have a significant impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see ADDRESSES) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

## 3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory
Enforcement Fairness Act of 1996 (Public Law 104-121), we
want to assist small entities in understanding this rule so
that they can better evaluate its effects on them and
participate in the rulemaking. If the rule affects your

small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed under FOR FURTHER INFORMATION CONTACT. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

## 4. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

## 5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

### 6. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for

inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

## 7. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### 8. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

## 9. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

### 10. Indian Tribal Governments

This rule does not have tribal implications under

Executive Order 13175, Consultation and Coordination with

Indian Tribal Governments, because it does not have a

substantial direct effect on one or more Indian tribes, on
the relationship between the Federal Government and Indian

tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

### 11. Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

## 12. Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that

are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### 13. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraphs (34)(g) and (34)(h) of the Instruction since it involves establishment of safety zones for marine related fireworks events and special local regulations for regattas, respectively. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under ADDRESSES.

# List of Subjects

## 33 CFR Part 100

Marine safety, Navigation (water), Reporting and record-keeping requirements, Waterways.

### 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, and Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR Parts 100 and 165 as follows:

PART 100--SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233.

2. In § 100.120, revise the TABLE TO § 100.120 to read as follows:

§ 100.120 Special Local Regulations; Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone.

\* \* \* \* \*

Table to §100.120

5.0		MAY
5.1	Champlain Bridge Celebration	• Event Type: Regatta and Boat Parade
	Flotilla Parade	<ul> <li>Sponsor: Lake Champlain Maritime Museum.</li> </ul>
		<ul> <li>Date: A two day event on Saturday and Sunday during the third weekend in May.*</li> </ul>
		• Time (Approximate): 12:00 pm to 2:00 pm each day
		• Location: The regulated area includes all waters of Lake Champlain in the vicinity of the new bridge between Crown Point, New York and Chimney Point, Vermont within the following points (NAD)

		83): 44° 02'29"N
5.2	Tall Ships Visiting Portsmouth	<ul><li>Event Type: Regatta and Boat Parade</li></ul>
		<ul><li>Sponsor: Portsmouth Maritime Commission, Inc.</li></ul>
		<ul> <li>Date: A four day event from Friday through Monday on a weekend between the 15<sup>th</sup> of May and the 15th of June.*</li> <li>Time (Approximate): 9:00 am to 8:00 pm each day</li> </ul>
		• Location: The regulated area includes all waters of Portsmouth Harbor, New Hampshire in the vicinity of Castle Island within
		the following points (NAD 83): 43° 03'11"N 070° 42'26"W
		43° 03'11"N 070° 42'26"W 43° 03'18"N 070° 41'51"W
		43° 04′42″N
		43° 04′28″N 070° 44′12″W
		43° 05′36″N 070° 45′56″W
		43° 05′29″N 070° 46′09″W
		43° 04′19″N 070° 44′16″W
		43° 04′22″N 070° 42′33″W
6.0		JUNE
6.1	Bar Harbor Blessing of the Fleet	<ul><li>Event Type: Regatta and Boat Parade</li></ul>
	01 0110 11000	• Sponsor: Town of Bar Harbor, Maine
		• Date: A one day event on a Sunday
		between the 15 <sup>th</sup> of May and the 15th of June.*
		<pre>• Time (Approximate): 12:00 pm to 1:30 pm</pre>
		<ul> <li>Location: The regulated area includes all waters of Bar Harbor,</li> </ul>
		Maine within the following points (NAD 83):
		44° 23′32″N 068° 12′19″W
		44° 23′30″N 068° 12′00″W
		44° 23′37″N 068° 12′00″W 44° 23′35″N 068° 12′19″W
6.2	Charlie Begin	• Event Type: Power Boat Race

	Memorial Lobster Boat Races	• Sponsor: Boothbay Harbor Lobster Boat Race Committee
		<ul> <li>Date: A one day event on Saturday during the third weekend of June.*</li> </ul>
		• Time (Approximate):
		10:00 am to 3:00 pm
		•Location: The regulated area
		includes all waters of Boothbay
		Harbor, Maine in the vicinity of John's Island within the following
		points (NAD 83):
		43° 50′04″N 069° 38′37″W
		43° 50′54″N 069° 38′06″W
		43° 50′49″N 069° 37′50″W 43° 50′00″N 069° 38′20″W
6.3	Rockland Harbor	• Event Type: Power Boat Race
0.3	Lobster Boat Races	• Sponsor: Rockland Harbor Lobster
		Boat Race Committee
		•Date: A one day event on Sunday
		during the third weekend of June.*
		<ul><li>Time (Approximate):</li><li>9:00 am to 5:00 pm</li></ul>
		• Location: The regulated area
		includes all waters of Rockland
		Harbor, Maine in the vicinity of
		the Rockland Breakwater Light
		within the following points (NAD 83):
		44° 05′59″N 069° 04′53″W
		44° 06′43″N 069° 05′25″W
		44° 06′50″N 069° 05′05″W
		44° 06′05″N 069° 04′34″W
6.4	Windjammer Days	<ul><li>Event Type: Tall Ship Parade</li><li>Sponsor: Boothbay Region Chamber</li></ul>
	Parade of Ships	of Commerce
		<ul><li>Date: A one day event on last Wednesday of June.*</li></ul>
		• Time (Approximate):
		12:00 pm to 5:00 pm
		<ul> <li>Location: The regulated area includes all waters of Boothbay</li> </ul>
		Harbor, Maine in the vicinity of
		Tumbler's Island within the
		following points (NAD 83):
		43° 51′02″N 069° 37′33″W 43° 50′47″N 069° 37′31″W
		43° 50′47″N 069° 37′57″W

			37′45″W
			38'31"W
			38'25"W
			37'45"W
7.0		JULY	
7.1	Moosabec Lobster	• Event Type: Power Boat	Race
	Boat Races	• Sponsor: Moosabec Boat Committee	Race
		<ul><li>Date: A one day event l 4<sup>th</sup>.*</li></ul>	neld on July
		<pre>• Time (Approximate): 10:00 am to 12:30 pm</pre>	
		<ul> <li>Location: The regulated includes all waters of 3 Maine within the follows (NAD 83):</li> <li>44° 31'21"N 067° 36'44</li> </ul>	Jonesport, ing points
		44° 31′36″N 067° 36′47 44° 31′44″N 067° 35′36	5"W
		44° 31′29″N 067° 35′33	
7.2	The Great Race	<ul><li>Event Type: Rowing and Boat Race</li></ul>	Paddling
		<ul> <li>Sponsor: Franklin Count of Commerce</li> </ul>	cy Chamber
		<ul> <li>Date: A one day event of between the 15<sup>th</sup> of Augu 15th of September.*</li> </ul>	
		• Time (Approximate): 10:00 am to 12:30 pm	
		<ul> <li>Location: The regulated includes all waters of I Champlain in the vicinit Albans Bay within the forpoints (NAD 83):</li> <li>44° 47'18"N 073°</li> </ul>	ake ty of Saint
7.3	Coordnort Tobator	• Event Type: Power Boat	
1.3	Searsport Lobster Boat Races	• Sponsor: Searsport Lobs	
		• Date: A one day event of second Saturday of July.	
		• Time (Approximate): 9:00 am to 4:00 pm	
		<ul> <li>Location: The regulated includes all waters of S Harbor, Maine within the</li> </ul>	Searsport

	points (NAD 83): 44° 26'50"N
7.4 Stonington Lobster Boat Races	• Event Type: Power Boat Race • Sponsor: Stonington Lobster Boat Race Committee
	<ul><li>Date: A one day event on the second Saturday of July.*</li><li>Time (Approximate):</li></ul>
	<ul><li>8:00 am to 3:30 pm</li><li>Location: The regulated area includes all waters of Stonington, Maine within the following points (NAD 83):</li></ul>
	44° 08'55"N068° 40'12"W44° 09'00"N068° 40'15"W44° 09'11"N068° 39'42"W44° 09'07"N068° 39'39"W
7.5 Mayor's Cup Regatta	<ul> <li>Event Type: Sailboat Parade</li> <li>Sponsor: Plattsburgh Sunrise Rotary</li> <li>Date: A one day event on the second Saturday of July.*</li> <li>Time (Approximate): 10:00 am to 4:00 pm</li> </ul>
	• Location: The regulated area includes all waters of Cumberland Bay on Lake Champlain in the vicinity of Plattsburgh, New York within the following points (NAD 83):  44° 39'26"N 073° 26'25"W
	44° 41′27″N 073° 23′12″W
7.6 The Challenge Race	<ul><li>Event Type: Rowing and Paddling Boat Race</li><li>Sponsor: Lake Champlain Maritime</li></ul>
	Museum  • Date: A one day event on the third Saturday of July.*  • Time (Approximate):
	<ul><li>Time (Approximate):</li><li>11:00 am to 3:00 pm</li></ul>
	<ul> <li>Location: The regulated area includes all waters of Lake Champlain in the vicinity of Button Bay State Park within the following</li> </ul>

		points (NAD 83): 44° 12'25"N
7.7	Yarmouth Clam Festival Paddle Race	<ul><li>Event Type: Rowing and Paddling Boat Race</li><li>Sponsor: Maine Island Trail Association</li></ul>
		<ul> <li>Date: A one day event on the third Saturday of July.*</li> <li>Time (Approximate): 8:00 am to 4:00 pm</li> </ul>
		• Location: The regulated area includes all waters in the vicinity of the Royal River outlet and Lane's Island within the following points (NAD 83): 43° 47'47"N 070° 08'40"W 43° 47'50"N 070° 07'13"W 43° 47'06"N 070° 07'32"W 43° 47'17"N 070° 08'25"W
7.8	Friendship Lobster Boat Races	• Event Type: Power Boat Race • Sponsor: Friendship Lobster Boat Race Committee
		<ul> <li>Date: A one day event on a Saturday on a weekend between the 15<sup>th</sup> of July and the 15th of August.*</li> </ul>
		• Time (Approximate): 9:30 am to 3:00 pm
		• Location: The regulated area includes all waters of Friendship Harbor, Maine within the following points (NAD 83): 43° 57′51″N 069° 20′46″W 43° 58′14″N 069° 19′53″W 43° 58′19″N 069° 20′01″W 43° 58′00″N 069° 20′46″W
7.9	Arthur Martin	• Event Type: Rowing and Paddling Boat Race
	Memorial Regatta	• Sponsor: I Row
		<ul><li>Date: A one day event on the third Saturday of July.*</li></ul>
		• Time (Approximate): 9:00 am to 1:00 pm
		• Location: The regulated area

7.10	Harpswell Lobster	includes all waters of the Piscataqua River, in the vicinity of Kittery Point, Maine within the following points (NAD 83): 43° 03′51″N 070° 41′55″W 43° 04′35″N 070° 42′18″W 43° 04′42″N 070° 43′15″W 43° 05′14″N 070° 43′12″W 43° 05′14″N 070° 43′12″W 43° 04′44″N 070° 43′11″W 43° 04′35″N 070° 42′13″W 43° 03′53″N 070° 41′40″W   • Event Type: Power Boat Race
	Boat Races	• Sponsor: Harpswell Lobster Boat
		Race Committee  Date: A one day event on a Sunday
		between the 15 <sup>th</sup> of July and the 15th of August.*
		• Time (Approximate): 10:00 am to 3:00 pm
		• Location: The regulated area includes waters of Middle Bay near Harpswell, Maine within the following points (NAD 83): 43° 44'15"N 070° 02'06"W 43° 44'59"N 070° 01'21"W 43° 44'51"N 070° 01'05"W 43° 44'06"N 070° 01'49"W
8.0		AUGUST
8.1	Eggemoggin Reach Regatta	<ul> <li>Event Type: Wooden Boat Parade</li> <li>Sponsor: Rockport Marine, Inc. and Brookline Boat Yard</li> <li>Date: A one day event on a Saturday between the 15<sup>th</sup> of July and the 15th of August.*</li> <li>Time (Approximate):</li> </ul>
		11:00 am to 7:00 pm  • Location: The regulated area includes all waters of Eggemoggin Reach and Jericho Bay in the vicinity of Naskeag Harbor, Maine within the following points (NAD 83):  44° 15'16"N 068° 36'26"W  44° 12'41"N 068° 29'26"W  44° 07'38"N 068° 31'30"W  44° 12'54"N 068° 33'46"W

—·	Southport Rowgatta Rowing and Paddling	• Event Type: Rowing and Paddling Boat Race
	_	• Sponsor: Boothbay Region YMCA
		<ul><li>Date: A one day event on the second Saturday of August.*</li></ul>
		• Time (Approximate):
		8:00 am to 3:00 pm
		• Location: The regulated area includes all waters of Sheepscot Bay and Boothbay, on the shore side of Southport Island, Maine within the following points (NAD 83): 43° 50′26″N 069° 39′10″W 43° 49′10″N 069° 38′35″W 43° 46′53″N 069° 39′06″W 43° 46′50″N 069° 39′32″W 43° 49′07″N 069° 41′43″W 43° 50′19″N 069° 41′14″W 43° 51′11″N 069° 40′06″W
8.3	Winter Harbor	• Event Type: Power Boat Race
0.3	Lobster Boat Races	• Sponsor: Winter Harbor Chamber of
		Commerce
		<ul><li>Date: A one day event on the second Saturday of August.*</li></ul>
		• Time (Approximate):
		• 9:00 am to 3:00 pm
		• Location: The regulated area includes all waters of Winter Harbor, Maine within the following points (NAD 83):  44° 22'06"N 068° 05'13"W  44° 23'06"N 068° 05'08"W  44° 23'04"N 068° 04'37"W  44° 22'05"N 068° 04'44"W
8.4	Lake Champlain Dragon Boat Festival	• Event Type: Rowing and Paddling
		Boat Race
		• Sponsor: Dragonheart Vermont
		<ul><li>Date: A one day event on the second Sunday of August.*</li></ul>
		• Time (Approximate):
		7.00 am to 5.00 mm

18

(NAD 83): 44° 28′51″N

44° 28′40″N

7:00 am to 5:00 pm

ullet Location: The regulated area

includes all waters of Burlington Bay within the following points

073° 13′28″W

073° 13′40″W

		44° 28′37″N 073° 13′29″W
		44° 28′40″N 073° 13′17″W
8.5	Merritt Brackett	• Event Type: Power Boat Race
	Lobster Boat Races	• Sponsor: Town of Bristol, Maine
		• Date: A one day event on the
		second Sunday of August.*
		• Time (Approximate):
		10:00 am to 3:00 pm
		<ul> <li>Location: The regulated area includes all waters of Pemaquid Harbor, Maine within the following points (NAD 83):</li> </ul>
		43° 52′16″N 069° 32′10″W
		43° 52′41″N 069° 31′43″W
		43° 52′35″N 069° 31′29″W
		43° 52′09″N 069° 31′56″W
8.6	Multiple Sclerosis Regatta	<ul><li>Event Type: Regatta and Sailboat Race</li></ul>
	<b>-</b>	• Sponsor: Maine Chapter, Multiple Sclerosis Society
		• Date: A one day event on the third
		Saturday of August.*
		• Time (Approximate):
		10:00 am to 4:00 pm
		• Location: The regulated area for the start of the race includes all waters of Casco Bay, Maine in the vicinity of Peaks Island within the following points (NAD 83): 43° 40′24″N 070° 14′20″W 43° 40′36″N 070° 13′56″W 43° 39′58″N 070° 13′51″W 43° 39′46″N 070° 13′51″W
8.7	Multiple Sclerosis	• Event Type: Power Boat Race
	Harborfest Lobster	• Sponsor: Maine Chapter, National
	Boat/Tugboat Races	Multiple Sclerosis Society
		• Date: A one day event on the third Sunday of August.*
		<pre>• Time (Approximate): 10:00 am to 3:00 pm</pre>
		• Location: The regulated area
		includes all waters of Portland
		Harbor, Maine in the vicinity of
		Maine State Pier within the
		following points (NAD 83):
		43° 40′25″N 070° 14′21″W
		43° 40′36″N 070° 13′56″W

43° 39′58″N 070° 13′21″W 43° 39′47″N 070° 13′51″W
43° 39'47"N 070° 13'51"W
SEPTEMBER
• Event Type: Power Boat Race
• Sponsor: Eastport Pirates Festiva
<ul><li>Date: A one day event on the</li></ul>
second Sunday of September.*
• Time (Approximate):
11:00 am to 6:00 pm
• Location: The regulated area
includes all waters in the vicinity
of Eastport Harbor, Maine within
the following points (NAD 83):
44° 54′14″N 066° 58′52″W
44° 54′14″N 068° 58′56″W
44° 54′24″N 066° 58′52″W
44° 54′24″N 066° 58′56″W
ange within the timeframes noted. Exact
<u> </u>

date and time will be posted in Notice of Enforcement and

PART 165--REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

Local Notice to Mariners.

3. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 33 CFR 1.05-1, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

4. In § 165.171, revise the TABLE TO § 165.171 to read as follows:

§ 165.171 Safety Zones for fireworks displays and swim events held in Coast Guard Sector Northern New England Captain of the Port Zone.

\* \* \* \* \*

## TABLE to §165.171

5.0		MAY
5.1	Hawgs, Pies, & Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: Gardiner Maine Street</li> <li>Date: One night event on a Saturday between the 15<sup>th</sup> of May and the 15th of June.*</li> <li>Time (Approximate): 8:00 pm to 10:00 pm</li> <li>Location: In the vicinity of the Gardiner Waterfront, Gardiner, Maine in approximate position: 44° 13'52"N, 069° 46'08"W (NAD 83)</li> </ul>
6.0		JUNE
6.1	Rotary Waterfront Days Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: Gardiner Rotary</li> <li>Date: Two night event on Wednesday and Saturday during the third week of June.*</li> <li>Time (Approximate): 8:00 pm to 10:00 pm</li> <li>Location: In the vicinity of the Gardiner Waterfront, Gardiner, Maine in approximate position: 44° 13'52"N, 069° 46'08"W (NAD 83)</li> </ul>
6.2	Windjammer Days Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: Boothbay Harbor Region Chamber of Commerce</li> <li>Date: One night event on the last Wednesday of June.*</li> <li>Time (Approximate): 8:00 pm to 10:30 pm</li> <li>Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position: 43° 50'38"N, 069° 37'57"W (NAD 83)</li> </ul>
7.0		JULY
7.1	Vinalhaven 4 <sup>th</sup> of July Fireworks	<ul> <li>Event Type: Firework Display</li> <li>Sponsor: Vinalhaven 4<sup>th</sup> of July Committee</li> <li>Date: First Saturday in July.*</li> <li>Time (Approximate):</li> </ul>

		8:00 pm to 10:30 pm
		<ul> <li>Location: In the vicinity of Grime's Park, Vinalhaven, Maine in approximate position: 44° 02'34"N, 068° 50'26"W (NAD 83)</li> </ul>
7.2	Burlington	• Event Type: Firework Display
, • 2	Independence Day Fireworks	• Sponsor: City of Burlington, Vermont
		● Date: July 3 <sup>rd</sup> .*
		• Time (Approximate): 9:00 pm to 11:00 pm
		<ul> <li>Location: From a barge in the vicinity of Burlington Harbor, Burlington, Vermont in approximate position: 44° 28'31"N, 073° 13'31"W (NAD 83)</li> </ul>
7.3	Camden 3 <sup>rd</sup> of July	• Event Type: Fireworks Display
	Fireworks	<ul> <li>Sponsor: Camden, Rockport, Lincolnville Chamber of Commerce</li> </ul>
		● Date: July 3 <sup>rd</sup> .*
		• Time (Approximate):
		8:00 pm to 10:00 pm • Location: In the vicinity of
		Camden Harbor, Maine in approximate position: 44° 12'32"N, 069° 02'58"W (NAD 83)
7.4	Bangor 4 <sup>th</sup> of July Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: Bangor 4<sup>th</sup> of July</li> <li>Fireworks</li> </ul>
		• Date: July 4 <sup>th</sup> .*
		• Time (Approximate): 8:00 pm to 10:30 pm
		• Location: In the vicinity of the Bangor Waterfront, Bangor, Maine in approximate position: 44° 47'27"N, 068° 46'31"W (NAD 83)
7.5	Bar Harbor 4 <sup>th</sup> of	• Event Type: Fireworks Display
,	July Fireworks	• Sponsor: Bar Harbor Chamber of Commerce
		• Date: July 4 <sup>th</sup> .*
		• Time (Approximate): 8:00 pm to 10:30 pm
		<ul> <li>Location: In the vicinity of Bar Harbor Town Pier, Bar Harbor, Maine in approximate position:</li> </ul>

		44° 23'31"N, 068° 12'15"W (NAD 83)
7.6	Boothbay Harbor 4 <sup>th</sup> of July Fireworks	• Event Type: Fireworks Display • Sponsor: Town of Boothbay Harbor • Date: July 4 <sup>th</sup> .* • Time (Approximate): 8:00 pm to 10:30 pm • Location: In the vicinity of McFarland Island, Boothbay Harbor, Maine in approximate position:
7.7	Colchester 4 <sup>th</sup> of July Fireworks	43° 50'38"N, 069° 37'57"W (NAD 83)  • Event Type: Fireworks Display  • Sponsor: Town of Colchester, Recreation Department  • Date: July 4 <sup>th</sup> .*  • Time (Approximate): 8:00 pm to 10:00 pm
7.8	Eastport 4 <sup>th</sup> of July Fireworks	<ul> <li>Location: In the vicinity of Bayside Beach and Mallets Bay in Colchester, Vermont in approximate position: 44° 32′44″N, 073° 13′10″W (NAD 83)</li> <li>Event Type: Fireworks Display</li> <li>Sponsor: Eastport 4<sup>th</sup> of July</li> </ul>
		<ul> <li>Sponsor: Eastport 4 of July Committee</li> <li>Date: July 4<sup>th</sup>.*</li> <li>Time (Approximate): 9:00 pm to 9:30 pm</li> <li>Location: From the Waterfront Public Pier in Eastport, Maine in approximate position: 44° 54′25″N, 066° 58′55″W (NAD 83)</li> </ul>
7.9	Ellis Short Sand Park Trustee Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: William Burnham</li> <li>Date: July 4<sup>th</sup>.*</li> <li>Time (Approximate): 8:30 pm to 11:00 pm</li> <li>Location: In the vicinity of York Beach, Maine in approximate position: 43° 10'27"N, 070° 48'31"W (NAD 83)</li> </ul>
7.10	Hampton Beach 4 <sup>th</sup> of July Fireworks	<ul><li>Event Type: Fireworks Display</li><li>Sponsor: Hampton Beach Village District</li></ul>

		<ul> <li>Date: July 4<sup>th</sup>.*</li> <li>Time (Approximate): 8:30 pm to 11:00 pm</li> <li>Location: In the vicinity of Hampton Beach, New Hampshire in approximate position: 42° 54'40"N, 070° 36'25"W (NAD 83)</li> </ul>
7.11	Jonesport 4 <sup>th</sup> of July Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: Jonesport 4<sup>th</sup> of July Committee</li> <li>Date: July 4<sup>th</sup>.*</li> <li>Time (Approximate): 9:30 pm to 10:00 pm</li> <li>Location: In the vicinity of Beals Island, Jonesport, Maine in approximate position: 44° 31'18"N, 067° 36'43"W (NAD 83)</li> </ul>
7.12	Main Street Heritage Days 4 <sup>th</sup> of July Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: Main Street Inc.</li> <li>Date: July 4<sup>th</sup>.*</li> <li>Time (Approximate): 8:00 pm to 10:30 pm</li> <li>Location: In the vicinity of Reed and Reed Boat Yard, Woolwich, Maine in approximate position: 43° 54′56″N, 069° 48′16″W (NAD 83)</li> </ul>
7.13	Portland Harbor 4 <sup>th</sup> of July Fireworks	<ul> <li>Event Type: Fireworks Display Sponsor: Department of Parks and Recreation, Portland, Maine</li> <li>Date: July 4<sup>th</sup>.*</li> <li>Time (Approximate): 8:30 pm to 10:30 pm</li> <li>Location: In the vicinity of East End Beach, Portland, Maine in approximate position: 43° 40′16″N, 070° 14′44″W (NAD 83)</li> </ul>
7.14	St. Albans Day Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: St. Albans Area Chamber of Commerce</li> <li>Date: July 4<sup>th</sup>.*</li> <li>Time (Approximate): 9:00 pm to 10:00 pm</li> <li>Location: From the St. Albans Bay dock in St. Albans Bay, Vermont in</li> </ul>

	_	approximate position: 44° 48'25"N, 073° 08'23"W (NAD 83)
7.15	Stonington 4 <sup>th</sup> of July Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: Deer Isle - Stonington Chamber of Commerce</li> <li>Date: July 4<sup>th</sup>.*</li> <li>Time (Approximate): 8:00 pm to 10:30 pm</li> <li>Location: In the vicinity of Two Bush Island, Stonington, Maine in approximate position:</li> </ul>
		44° 08'57"N, 068° 39'54"W (NAD 83) • Event Type: Swim Event
7.16	Shelburne Sprint Triathlon	• Sponsor: Race Vermont
	ITIACHION	<ul> <li>Date: A multiple day event throughout July and August.*</li> <li>Time (Approximate): 7:00 am to 11:00 am</li> </ul>
		• Location: The regulated area includes all waters of Lake Champlain in the vicinity of Shelburne Beach in Shelburne, Vermont within a 400 yard radius of the following point (NAD 83): 44° 21'45"N 075° 15'58"W
7.17	Urban/EPIC	• Event Type: Swim Event
7.17	Triathlon	<ul> <li>Sponsor: Tri-Maine Productions</li> <li>Date: A one day event on Saturday during the second week of July.*</li> <li>Time (Approximate): 7:00 am to 11:00 am</li> </ul>
		• Location: The regulated area includes all waters of Portland Harbor in the vicinity of East End Beach in Portland, Maine within the following points (NAD 83): 43° 40′00″N 070° 14′20″W 43° 40′00″N 070° 14′00″W 43° 40′15″N 070° 14′29″W 43° 40′17″N 070° 13′22″W
7.18	St. George Days	• Event Type: Fireworks
	Fireworks	• Sponsor: Town of St. George
		<ul><li>Date: A one day event held on third Saturday in July.*</li></ul>
		• Time (Approximate):
		8:30 pm to 10:30 pm

	<ul> <li>Location: The regulated area includes all waters of Inner Tenants Harbor, ME, in approximate position (NAD 83): 43° 57'41.37"N, 069° 12'45"W</li> </ul>
7.19 Tri for a Cure Swim	• Event Type: Swim Event
Clinics	• Sponsor: Maine Cancer Foundation
	<ul><li>Date: A multi-day training event held during July.*</li></ul>
	• Time (Approximate): 8:30 am to 11:30 am
	• Location: The regulated area includes all waters of Portland Harbor, Maine in the vicinity of Spring Point Light within the following points (NAD 83): 43° 39'01"N 070° 13'32"W 43° 39'07"N 070° 13'29"W 43° 39'06"N 070° 13'41"W
	• 43° 39′01″N 070° 13′36″W

7.20	Tri	for	а	Cure
	Tria	athlo	on	

- Event Type: Swim Event
- Sponsor: Maine Cancer Foundation
- Date: A one day event on the second Sunday of August.\*
- Time (Approximate): 12:30 pm to 4:30 pm
- Location: The regulated area includes all waters of Portland Harbor, Maine in the vicinity of Spring Point Light within the following points (NAD 83):

43°	39'01"N	070°	13′32″W
43°	39'07"N	070°	13′29″W
43°	39'06"N	070°	13′41″W
43°	39'01"N	070°	13′36″W

## 7.21 Richmond Days Fireworks

- Event Type: Fireworks Display
- Sponsor: Town of Richmond, Maine
- Date: A one day event on the fourth Saturday of July.\*
- Time (Approximate): 8:00 pm to 10:00 pm
- Location: From a barge in the vicinity of the inner harbor, Tenants Harbor, Maine in

		approximate position: 44° 08'42"N, 068° 27'06"W (NAD83)
7.22	Colchester	• Event Type: Swim Event
	Triathlon	<ul> <li>Sponsor: Colchester Parks and Recreation Department</li> </ul>
		<ul><li>Date: A one day event on the last Wednesday of July.*</li></ul>
		• Time (Approximate): 7:00 am to 11:00 am
		• Location: The regulated area includes all waters of Malletts Bay on Lake Champlain, Vermont within the following points (NAD 83): 44° 32′18″N 073° 12′35″W 44° 32′28″N 073° 12′56″W 44° 32′57″N 073° 12′38″W
7 22	Peaks to Portland	• Event Type: Swim Event
1.43	Swim	• Sponsor: Cumberland County YMCA
		<ul> <li>Date: A one day event on the last Saturday of July.*</li> <li>Time (Approximate): 5:00 am to 1:00 pm</li> <li>Location: The regulated area includes all waters of Portland Harbor between Peaks Island and East End Beach in Portland, Maine within the following points (NAD 83): 43° 39'20"N 070° 11'58"W 43° 39'45"N 070° 13'19"W 43° 40'11"N 070° 14'13"W 43° 40'08"N 070° 14'29"W 43° 40'00"N 070° 14'23"W 43° 39'34"N 070° 13'31"W 43° 39'13"N 070° 11'59"W</li> </ul>
7.24	Friendship Days	• Event Type: Fireworks Display
	Fireworks	• Sponsor: Town of Friendship
		<ul><li>Date: A one day event on the last Saturday of July.*</li></ul>
		• Time (Approximate): 8:00 pm to 10:30 pm
		<ul> <li>Location: In the vicinity of the Town Pier, Friendship Harbor, Maine in approximate position: 43° 58'23"N, 069° 20'12"W (NAD83)</li> </ul>

7.25	Champ Chum Swim	<ul> <li>Event Type: Swim Event</li> <li>Sponsor: Against Malaria Foundation</li> <li>Date: A one day event on the last Saturday of July.*</li> <li>Time (Approximate): 8:00 am to 12:00 pm</li> <li>Location: The regulated area includes all waters of Lake Champlain between Thompson's Point, Vermont and Spilt Rock in Adirondack Park, New York within the following points (NAD 83): 44° 16'04"N 073° 18'19"W 44° 16'08"N 073° 19'17"W</li> </ul>
7.26	Bucksport Festival and Fireworks	<ul> <li>Event Type: Fireworks Display</li> <li>Sponsor: Bucksport Bay Area Chamber of Commerce</li> <li>Date: A one day event on the last Saturday of July.*</li> <li>Time (Approximate): 8:00 pm to 10:30 pm Location: In the vicinity of the Verona Island Boat Ramp, Verona, Maine, in approximate position: 44° 34'9"N, 068° 47'28"W (NAD83)</li> </ul>
8.0		August
8.1	Sprucewold Cabbage Island Swim	<ul> <li>Event Type: Swim Event</li> <li>Sponsor: Sprucewold Association</li> <li>Date: A one day event on the first Saturday of August.*</li> <li>Time (Approximate): 1:00 pm to 6:00 pm</li> <li>Location: The regulated area includes all waters of Linekin Bay between Cabbage Island and Sprucewold Beach in Boothbay Harbor, Maine within the following points (NAD 83): 43° 50'37"N 069° 36'23"W 43° 50'37"N 069° 36'59"W 43° 50'16"N 069° 36'46"W 43° 50'22"N 069° 36'21"W</li> </ul>
8.2	Westerlund's Landing Party Fireworks	• Event Type: Fireworks Display • Sponsor: Portside Marina

		<ul> <li>Date: A one day event on the first Saturday of August.*</li> <li>Time (Approximate): 8:00 pm to 10:30 pm</li> <li>Location: In the vicinity of Westerlund's Landing in South Gardiner, Maine in approximate position: 44° 10'19"N, 069° 45'24"W (NAD 83)</li> <li>Event Type: Swim Event</li> </ul>
8.3	Y-Tri Triathlon	
		<ul><li>Sponsor: Plattsburgh YMCA</li><li>Date: A one day event on the first Saturday of August.*</li></ul>
		<pre>• Time (Approximate): 9:00 am to 10:00 am</pre>
		• Location: The regulated area includes all waters of Treadwell Bay on Lake Champlain in the vicinity of Point Au Roche State Park, Plattsburgh, New York within the following points (NAD 83): 44° 46′30″N 073° 23′26″W 44° 46′17″N 073° 23′26″W 44° 46′17″N 073° 23′46″W 44° 46′29″N 073° 23′46″W
8.4	York Beach Fire	• Event Type: Fireworks Display
	Department	• Sponsor: York Beach Fire
	Fireworks	Department
		<ul><li>Date: A one day event on Sunday during the first week in August.*</li></ul>
		• Time (Approximate): 8:30 pm to 11:30 pm
		• Location: In the vicinity of Short Sand Cove in York, Maine in approximate position: 43° 10'27"N, 070° 36'25"W (NAD 83)
8.5	Rockland Breakwater	• Event Type: Swim Event
	Swim	• Sponsor: Pen-Bay Masters
		<ul><li>Date: A one day event on the fourth Saturday of August.*</li></ul>
		• Time (Approximate): 7:30 am to 1:30 pm
		• Location: The regulated area includes all waters of Rockland Harbor, Maine in the vicinity of Jameson Point within the following

		points (NAD 83)	
		44° 06′16″N	069° 04′39″W
		44° 06′13″N	069° 04′36″W
		44° 06′12″N	069° 04′43″W
		44° 06′17″N	069° 04′44″W
		44° 06′18″N	069° 04′40″W
8.6	Tri for	• Event Type: Swit	m Event
	Preservation	• Sponsor: Tri-Ma:	ine Productions
		• Date: A one day	event in August.*
		• Time (Approximation am	te): 7:30 am to 9:00
		• Location: In the	a widinity of
		Crescent Beach S	State Park in Cape e in approximate
		43° 33′46″N	070° 13′48″W
		43° 33′41″N	070° 13′46″W
		43° 33′44″N	070° 13′40″W
		43° 33′47″N	070° 13′46″W
9.0		SEPTEMBER	
9.1	Windjammer Weekend Fireworks	• Event Type: Fine Sponsor: Town of	
	FILEWOLKS	-	y event on the first
		• Time (Approximate 8:00 pm to 9:30	
		Harbor, Maine in position:	theast Point, Camden
9.2	Eastport Pirate	• Event Type: Fire	reworks Display
	Festival Fireworks	• Sponsor: Eastpo	ort Pirate Festival
		• Date: A one da	
		second Saturday	4
		• Time (Approximate	<del>-</del>
		7:00 pm to 10:00	
		• Location: From	-
			Eastport, Maine in
		approximate posi	<del>-</del>
			5° 58′58″W (NAD 83)
0 2	The Lobstorman	• Event Type: Sw:	
9.3	The Lobsterman Triathlon	• Sponsor: Tri-Ma	
	IIIaciiIOii	-	
		• Date: A One day	y swim event on the
		second Saturday	of Sentember *

		• Time (Approximate):
		8:00 am to 11:00 am
		• Location: The regulated area includes all waters in the vicinity of Winslow Park in South Freeport, Maine within the following points (NAD 83):
		43° 47′59″N 070° 06′56″W
		43° 47′44″N 070° 06′56″W
		43° 47'44"N 070° 07'27"W 43° 47'57"N 070° 07'27"W
9.4	Burlington Triathlon	• Event Type: Swim Event
	Triathion	• Sponsor: Race Vermont
		<ul> <li>Date: A one day swim event on the second Sunday of September.*</li> </ul>
		• Time (Approximate): 7:00 am to 10:00 am
		• Location: The regulated area includes all waters in the vicinity of North Beach, Burlington, Vermont within the following points (NAD 83):
		44° 29′31″N 073° 14′22″W
		44° 29′12″N 073° 14′14″W
		44° 29′17″N 073° 14′34″W
9.5	Eliot Festival Day	• Event Type: Fireworks Display
	Fireworks	<ul> <li>Sponsor: Eliot Festival Day Committee</li> </ul>
		<ul><li>Date: A one day event on the fourth Saturday of September.*</li></ul>
		• Time (Approximate): 8:00 pm to 10:30 pm
		• Location: In the vicinity of Eliot Town Boat Launch, Eliot, Maine in approximate position: 43° 08'56"N, 070° 49'52"W (NAD 83)
*		nge within the timeframes noted. Exact e posted in Notice of Enforcement and

Dated: June 24, 2013

B. S. Gilda, Captain, U.S. Coast Guard Captain of the Port Sector Northern New England

Local Notice to Mariners.

[FR Doc. 2013-18893 Filed 08/05/2013 at 8:45 am; Publication

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